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The Ukrainian's individualism is most evident in his attitude to the social order, to the principle of the place of the community in society. He repudiates all forms of communal life which call for strict discipline and absolute obedience, without thinking that such a repudiation may be disastrous for the security of general interests and even, in the long run, for the personal advantage of the individual. His individualism as a social principle regards the individual as an end in himself, while the community is merely the sum or union of individuals and as such is only the means of guaranteeing the welfare of the individual. According to this national viewpoint, society — in Ukrainian "hromada" — is a voluntary union of individuals who, for the moment, are willing to work together for common aims, but who reserve the right to leave the union or even to attack it with every means in their power if they find that it is threatening their personal freedom, or when personal interest is greater than the interest of the community. We find a historical example of this attitude in the well-known military organisation of the Zaporoghian Cossacks, who regarded themselves as independent and free citizens, and only acknowledged their duty towards the community in so far as they considered it essential to the security and welfare of all.

In the history of Ukraine there are only too many cases where an exaggerated individualism prevented the formation of tradition as a supreme factor in building up a state, and where the historical existence of the entire people was at the mercy of conflicting forces which, in the absence of all desire to cooperate, were of necessity detrimental to the future of the state.

The structure of Russian society, called "mir" is diametrically opposed to this; it falls into the other extreme as the intellectual expression of the will of the community which completely absorbs personal independence. The essence and leading principle of the Russian "mir" is the compulsion inherent in the superior agency as the instrument of God's will. All rebellion against this divine compulsion is a grievous sin which the simple Russian cannot be expected to commit. This view was and is the most favorable condition for the birth and development of every absolute regime.

6: Armstrong S-4 (no date) 1955 RD1 Ukraine RD1

nationalist who lived through the period, describes the former as persons who thought on a "planetary" level, desiring to solve all the world's problems at once and regarding the claims of national affinity as "parochial." One, his schoolmate, was Volodymyr Zatons'kyi, who was later to become one of the most implacable of Communist officials in the Ukraine. Even before the war, he, according to the writer, refused to have anything to do with Ukrainian cultural activities, like the Prosvita [enlightenment] society in the city of Kamenets-Podolsk (Kamianets-Podils'k), where they were students. Rather, he associated with "foreigners," Russians and Jews, and was rapidly drawn into the revolutionary socialist movement.[20] The basis for a choice in this generation of young intellectuals appears to have been chance, or the psychological make-up of the individual, which was reinforced increasingly by the cumulative impact of associations formed after the initial choice was taken. Thus by the time the revolutionary conflicts drew to a close, the educated classes in the Ukraine were deeply split. Even more divided was the real foundation of any independence movement, the peasants. They—or at least those who were somewhat more prosperous than the average—had initially welcomed the Ukrainian governments. The increasing impotence of the new regimes and their preoccupation with factional strife and unrealistic programs instead of practical measures caused much indifference or disaffection among the peasants. In the judgment of one of the ablest students of the revolutionary period, however, the Ukrainian peasant preferred a nationalist government to either a Red or a "White" administration supporting a central regime.[21]

That the Communists were victors in the physical struggle is no proof of greater popular support, for much of their strength

[20] Vyktor (Victor) Prykhodko in *Krakivs'ki Visti*, January 18–19, 1942, p. 2.

[21] William H. Chamberlin, *The Ukraine: A Submerged Nation* (New York: The Macmillan Company, 1944). Moreover, one of the best Communist historians of the revolutionary period in the Ukraine, M. G. Rafes, a former adherent of the Jewish Bund, says the "natural" development of the peasants (and workers, especially in the sugar refineries in the small towns) was to "national socialism," "the Ukraine for the Ukrainian peasants," although he of course adds that they were inspired by the "reactionary bourgeois intelligentsia"; see *Dva goda revoliutsii na Ukraine: Evoliutsiia i raskol "Bunda"* (Two Years of Revolution in the Ukraine: The Evolution and Division of the "Bund") (Moscow, 1920), p. 8.

[Ukrainian constitution as of Nov. 21, 1949]

[42] Art. 14. The Ukrainian SSR reserves the right freely to secede from the Union of Soviet Socialist Republics.

Art. 15. The territory of the Ukrainian SSR may not be altered without its consent.

[Not] Art. 15a. The Ukrainian SSR has its own Republican military formations.

[1948] Art. 15b. The Ukrainian SSR has the right to enter into direct relations with foreign states and to conclude agreements and exchange diplomatic and consular representatives with them.

Art. 16. The laws of the USSR are binding within the territory of the Ukrainian SSR.

[141] Art. 17. Every citizen of the Ukrainian SSR is a citizen of the USSR. Citizens of all other Union Republics enjoy on the territory of the Ukrainian SSR equal rights with citizens of the Ukrainian SSR.

631 Art. 18. The Ukrainian SSR consists of the Vinnitsa, Volhynia, Voroshilovgrad, Dniepropetrovsk, Drohobych, Zhitomir, Transcarpathian, Zaporozhye, Izmail, Kamenets-Podolsk, Kiev, Kirovograd, Lvov, Nikolayev, Odessa, Poltava, Rovno, Stalino, Stanislav, Sumi, Ternopol, Kharkov, Kherson, Chernigov and Chernovitsi Regions.

Art. 19. The jurisdiction of the Ukrainian SSR, as represented by its higher organs of state power and organs of state administration, embraces:

a) Adoption of the Constitution of the Ukrainian SSR and control over its observance;

b) Submission of the formation of new regions constituting part of the Ukrainian SSR to the Supreme Soviet of the USSR for confirmation;

c) Establishment of the boundaries, and of the division into districts, of regions;

d) Legislation of the Ukrainian SSR;

e) Maintenance of public order and safeguarding the rights of citizens;

f) Approval of the national-economic plan of the Ukrainian SSR;

g) Approval of the state budget of the Ukrainian SSR and of the report on its fulfilment;

h) Determination of state and local taxes, imposts and non-tax revenues in conformity with the laws of the USSR;

i) Direction of the fulfilment of the local budgets of the regions;

j) Direction of insurance and savings;

k) Administration of the banks, industrial, agricultural and trading enterprises and organizations subordinate to the Republic, as well as direction of local industry;

l) Control and superintendence of the condition and administration of enterprises subordinate to the Union;

m) Establishment of the procedure governing the use of land, mineral wealth, forests and waters;

n) Direction of dwelling houses and the municipal economy, dwelling house construction and the modernization of cities and other inhabited places;

o) Road building; direction of local transport and communications;

p) Labour legislation;

q) Direction of social maintenance;

r) Direction of elementary, secondary and higher education;

[Ukrainian Constitution as of Nov. 21, 1949]

695 Art. 91. In all courts of the Ukrainian SSR cases are heard in public, unless otherwise provided for by law, and the accused is guaranteed the right to be defended by counsel.

693 Art. 92. Judges are independent and subject only to the law.

Art. 93. Supreme supervisory power to ensure the strict observance of the law by all Ministries and institutions subordinated to them, as well as by officials and citizens within the territory of the Ukrainian SSR generally, is exercised by the Procurator-General of the USSR directly and also through the Procurator of the Ukrainian SSR.

Art. 94. The Procurator of the Ukrainian SSR is appointed by the Procurator-General of the USSR for a term of five years.

Art. 95. Regional procurators are appointed by the Procurator-General of the USSR for a term of five years.

Art. 96. Area, district and city procurators are appointed by the Procurator of the Ukrainian SSR, subject to the approval of the Procurator-General of the USSR, for a term of five years.

Art. 97. The organs of the Procurator's Office perform their functions independently of any local organs whatsoever, being subordinate solely to the Procurator-General of the USSR.

Chapter VIII. Fundamental Rights and Duties of Citizens

641 461 Art. 98. Citizens of the Ukrainian SSR have the right to work, that is, are guaranteed the right to employment and payment for their work in accordance with its quantity and quality.

The right to work is ensured by the socialist organization of the national economy, the steady growth of the productive forces of Soviet society, the elimination of the possibility of economic crises and the abolition of unemployment.

Art. 99. Citizens of the Ukrainian SSR have the right to rest and leisure.

[466] The right to rest and leisure is ensured by the fixing of the working day for factory and office workers at eight hours and the reduction of the working day to seven or six hours for arduous trades and to four hours in workshops where conditions of work are exceptionally arduous; by the institution of annual vacations with full pay for factory and office workers; and by the provision of a wide network of sanatoria, rest-homes and clubs for the accommodation of the working people.

641 657 Art. 100. Citizens of the Ukrainian SSR have the right to maintenance in old age and also in case of sickness or disability.

This right is ensured by the extensive development of social insurance of factory and office workers at State expense, free medical service for the working people, and the provision of a wide network of health resorts for the use of the working people.

871 641 Art. 101. Citizens of the Ukrainian SSR have the right to education.

This right is ensured by universal compulsory elementary education; by free education up to and including the seventh grade; by the system of State stipends to students who have distinguished themselves in higher educational establishments; by instruction in schools being conducted in the native language; and by the organization in the factories, State farms and machine and tractor stations and collective farms of free vocational, technical and agronomic training for the working people.

[Ukrainian constitution as of Nov. 21, 1949]

641 [562] Art. 102. Women in the Ukrainian SSR are accorded equal rights with men in all spheres of economic, State, cultural, social and political life.

The possibility of exercising these rights is ensured to women by granting them an equal right with men to work, payment for work, rest and leisure, social insurance and education and by State protection of the interests of mother and child, State aid to mothers of large families and unmarried mothers, maternity leave with full pay and the provision of a wide network of maternity homes, nurseries and kindergartens.

[563] Art. 103. Equality of rights of citizens of the Ukrainian SSR, irrespective of their nationality or race, in all spheres of economic, State, cultural, social and political life, is an indefeasible law.

Any direct or indirect restriction of the rights of, or conversely, any establishment of direct or indirect privileges for, citizens on account of their race or nationality and also any propagation of racial or national exclusiveness, hatred and contempt - are punishable by law.

[564] Art. 104. In order to ensure to citizens freedom of conscience, the church in the Ukrainian SSR is separated from the State and the school from the church. Freedom of religious worship and freedom of anti-religious propaganda is recognized for all citizens.

Art. 105. In conformity with the interests of the working people, and in order to strengthen the socialist system, the citizens of the Ukrainian SSR are guaranteed by law:

(a) Freedom of speech;
(b) Freedom of the press;
(c) Freedom of assembly, including the holding of mass meetings;
(d) Freedom of street processions and demonstrations.

These civil rights are ensured by placing at the disposal of the working people and their organizations printing presses, stocks of paper, public buildings, the streets, communications facilities and other material requisites for the exercise of these rights.

[565] Art. 106. In conformity with the interests of the working people and in order to develop the organizational initiative and political activity of the masses of the people, citizens of the Ukrainian SSR are ensured the right to unite in public organizations — trade unions, co-operative associations, youth organizations, sport and defence organizations, cultural, technical and scientific societies; and the most active and politically conscious citizens in the ranks of the working class and other sections of the working people unite in the Communist Party of the Soviet Union (Bolsheviks), which is the vanguard of the working people in their struggle to strengthen and develop the socialist system and is the leading core of all organizations of the working people, both public and State.

[694] Art. 107. Citizens of the Ukrainian SSR are guaranteed inviolability of the person. No person may be placed under arrest except by decision of a court or with the sanction of a procurator.

Art. 108. The inviolability of the homes of citizens and privacy of correspondence are protected by law.

Art. 109. The Ukrainian SSR affords the right of asylum to foreign citizens persecuted for defending the interests of the working people, or for their scientific activities, or for their struggle for national liberation.

[Ukrainian Constitution as of Nov. 21, 1949]

641 Art. 110. It is the duty of every citizen of the Ukrainian SSR to abide by the Constitution of the Ukrainian SSR, to observe the laws, to maintain labour discipline, honestly to perform public duties, and to respect the rules of socialist intercourse.

[685] [421] Art. 111. It is the duty of every citizen of the Ukrainian SSR to safeguard and strengthen public socialist property as the sacred and inviolable foundation of the Soviet system, as the source of the wealth and might of the country, as the source of the prosperity and culture of all the working people.

Persons committing offences against public, socialist property are enemies of the people.

Art. 112. Universal military service is law.

Military service in the ranks of the Armed Forces of the USSR is an honourable duty of the citizens of the Ukrainian SSR.

[687] Art. 113. To defend the fatherland is the sacred duty of every citizen of the Ukrainian SSR. Treason to the country — violation of the oath of allegiance, desertion to the enemy, impairing the military power of the State, espionage — is punishable with all the severity of the law and is the most heinous of crimes.

Chapter IX. The Electoral System

666 Art. 114. Members of all Soviets of Working People's Deputies — of the Supreme Soviet of the Ukrainian SSR and of the Soviets of Working People's Deputies of regions, areas, districts, cities, settlements and villages — are chosen by the electors on the basis of universal, direct and equal suffrage by secret ballot.

Art. 115. Elections of deputies are universal: all citizens of the Ukrainian SSR who have reached the age of 18, irrespective of race, or nationality, sex, religion, educational or residential qualifications, social origin, property status or past activities, have the right to vote in the election of deputies and to be elected, with the exception of insane persons and persons who have been convicted by a court of law and whose sentences include deprivation of electoral rights.

[641] Every citizen of the Ukrainian SSR who has reached the age of 21, irrespective of race, or nationality, sex, religion, educational or residential qualifications, social origin, property status or past activities may be elected as a deputy of the Supreme Soviet of the Ukrainian SSR.

Art. 116. Elections of deputies are equal: each citizen has one vote; all citizens participate in elections on an equal footing.

[562] Art. 117. Women have the right to elect and be elected on equal terms with men.

Art. 118. Citizens serving in the ranks of the Armed Forces of the USSR have the right to elect and be elected on equal terms with all other citizens.

Art. 119. Elections of deputies are direct: all Soviets of Working People's Deputies from the Soviets of Working People's Deputies of villages and cities to the Supreme Soviet of the Ukrainian SSR, inclusive, are elected by the citizens by direct vote.

Art. 120. Voting at elections of deputies is secret.